

SEXUAL OFFENSES

SENATE JUDICIARY SUB

Exhibit No. 6

Date 1-31-07

FILED SB: SEX

STATUTE	VICTIM	FINE/PUNISHMENT
41-1-101 Minority Defined	under 18	
45-5-501 Definitions	under 16: without consent for purposes of 45-5-503 (Sexual Intercourse Without Consent)	
45-5-301 Unlawful Restraint	under 18 and offender is not the parent	(2) imprisonment not to exceed 6 months; fine not to exceed \$500
45-5-302 Kidnapping		(2) imprisonment not less than 2 years or more than 10; fine not to exceed \$50,000
45-5-303 Aggravated Kidnapping		(2) death, life imprisonment, or imprisonment for not less than 2 years or more than 100; fine not to exceed \$50,000
	(2) victim safely released with no serious bodily injury	(2) imprisonment not less than 2 years or more than 10; fine not to exceed \$50,000
45-5-502 Sexual Assault		(2) imprisonment not to exceed 6 months; fine not to exceed \$500
	(3) victim under 16 and offender is 3 or more years older, OR there is bodily injury	(3) life imprisonment or term of not less than 4 years, unless judge finds good cause to impose lesser sentence; fine not to exceed \$50,000
	(5)(b) consent ineffective if victim is under 14 and offender is 3 or more years older	
45-5-503 Sexual Intercourse Without Consent		(2) life imprisonment or imprisonment of not less than 2 years or to exceed 100; fine not to exceed \$50,000
	(3)(a) victim under 16 and offender is 3 or more years older, OR there is bodily injury	(3)(a) life imprisonment or not less than 4 or to exceed 100 years; fine not to exceed \$50,000
		(3)(b) if 2 or more offenders - life imprisonment or not less than 5 or to exceed 100 years; fine not to exceed \$50,000
		(3)(c) if previous conviction under this section or laws of another state AND bodily injury, death or life imprisonment w/o possibility of parole
	(3)(d) victim is incarcerated, offender had supervisory control	(3)(d) imprisonment not to exceed 5 years, fine not to exceed \$50,000
45-5-504 Indecent Exposure		(2)(a) 1st offense - fine not to exceed \$500; imprisonment not to exceed 6 months (2)(b) 2nd offense - fine not to exceed \$1,000; imprisonment not to exceed 1 year (2)(c) 3rd offense - fine not to exceed \$10,000; life imprisonment or term of not less than 5 years or to exceed 100

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45-5-505 Deviate Sexual Conduct		(2) imprisonment not to exceed 10 years; fine not to exceed \$50,000
45-5-507 Incest	(2) consent ineffective if victim under 18 (4) victim is under 16 and offender is 3 or more years older OR there is bodily injury	(3) life imprisonment or a term not to exceed 100 years; fine not to exceed \$50,000 (4) life imprisonment or not less than 4 years or to exceed 100; fine not to exceed \$50,000
45-5-603 Aggravated Promotion of Prostitution	(2)(b) if victim under 18	(2)(a) life imprisonment or imprisonment not to exceed 20 years; fine not to exceed \$50,000 (2)(b) life imprisonment or imprisonment not less than 4 years or to exceed 100; fine not to exceed \$100,000
45-5-622 Endangering the Welfare of Children	(1) child under 18	(4) 1st offense - fine not to exceed \$500; imprisonment not to exceed 6 months 2nd offense - fine not to exceed \$1,000; imprisonment not to exceed 6 months
45-5-625 Sexual Abuse of Children	(2)(b) victim under 16 (2)(c) [pornography possession]	(2)(a) life imprisonment or a term not to exceed 100 years; fine not to exceed \$10,000 (2)(b) life imprisonment or term of not less than 4 years or to exceed 100; fine not to exceed \$10,000 (2)(c) imprisonment not to exceed 10 years; fine not to exceed \$10,000
45-5-627 Ritual Abuse of Minor		(3)(a) 1st offense - imprisonment not less than 2 years or to exceed 20; fine not to exceed \$50,000 (3)(b) 2nd offense - imprisonment not less than 2 years or to exceed 40; fine not to exceed \$50,000